

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-Publication of Notice Statement)

Amend Subsection 360(b),
Title 14, California Code of Regulations
Re: Deer: X-Zone Hunts

- I. Date of Initial Statement of Reasons: December 30, 2002
- II. Dates and Locations of Scheduled Hearings:
- (a) Notice Hearing: Date: February 7, 2003
Location: Sacramento, California
- (b) Discussion and: Date: April 4, 2003
Adoption Hearing: Location: Visalia, California
- III. Description of Regulatory Action:
- (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:
1. Number of Tags
- Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges as indicated in the table in the Informative Digest.
- The proposal provides a range of tag numbers for each zone from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April.
- In early spring, surveys of deer herds are conducted to determine the proportion of fawns that have survived the winter. This information is used in conjunction with the prior year harvest and fall herd composition data to estimate overall herd size, sex and age ratios, and the predicted number of bucks available next season. The number of bucks and does needs to
- be estimated prior to the hunting season to determine how many surplus bucks will exist over and above the number required to maintain the desired buck ratio objectives stated in the approved deer herd management plans.
- The actual tag numbers for each affected zone will be reflected in the Final Statement of Reasons and will be selected from the range of values provided by this proposal. The number of tags is intended to allow the appropriate level of hunting opportunity and harvest of bucks in the population, while achieving or maintaining the buck ratios at, or near, objective levels set forth in the approved deer herd management plans. These final values for the license tag numbers will be based upon findings from the annual harvest and herd composition counts. However, under circumstances where severe winter

conditions adversely effect herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed tag range

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 203, 220, 460, 3452, 3453, and 4334, Fish and Game Code.
Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 460, 3452, 3453, and 4334, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

2003 Draft Environmental Document Regarding Deer Hunting.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

In 2000, the Department held a total of twenty-three (23) "Deer Stakeholder" meetings throughout the state. The meetings were open to the public, and the Department provided information on a variety of deer management strategies and issues including: Deer Assessment Unit (zone complex) planning and tag draw method alternatives. Attendees were asked to participate in a survey and public comment was also received. The dates and locations of those meetings are as follows:

July 24, 2000 - Chico
July 25, 2000 - Modesto
July 26, 2000 - Fresno
July 27, 2000 - Bakersfield
August 9, 2000 - Folsom
August 10, 2000 - Truckee
August 22, 2000 - Bishop
August 23, 2000 - Long Beach
August 24, 2000 - El Cajon
September 12, 2000 - Santa Barbara
September 28, 2000 - Salinas
October 17, 2000 - Eureka
October 18, 2000 - Red Bluff
October 19, 2000 - Susanville
October 20, 2000 - Redding
October 23, 2000 - Alturas
November 1, 2000 - Rohnert Park
November 14, 2000 - Yreka
November 16, 2000 - Merced
November 21, 2000 - Arroyo Grande
December 7, 2000 - Livermore
December 11, 2000 - El Centro
December 14, 2000 - Redlands

In addition, the Department conducted four public meetings in which regulation change concepts and specific proposals for mammals and furbearers, including deer were presented and discussed, and additional public comment was received. The dates and locations of those meetings are as follows:

November 7, 2001 in Fresno
November 13, 2001 in San Diego
November 29, 2001 in Monterey
December 13, 2001 in Sacramento

While these meetings were conducted prior to the establishment of last years regulations, the concepts and proposals which were derived through these meetings are still being implemented as part of the current year regulatory process.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Number of Tags

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

1. Number of Tags

The no-change alternative was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the zones listed may not be responsive to changes in the status of the herds. The deer herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by modifying the number of tags. The no-change alternative would not allow management of the desired proportion of bucks stated in the approved deer herd management plans.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States:

The agency is not aware of any cost impacts that a representative business would necessarily incur in reasonable compliance with the proposed action. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on Private Persons:

The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

INFORMATIVE DIGEST
(Policy Statement Overview)

Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the following table. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

Deer: § 360(b) X-Zone Hunts		
Tag Allocations		
Zone	Current	Proposed
X-1	2,780	1,000-6,000
X-2	190	50-500
X-3a	290	150-1,500
X-3b	900	200-3,000
X-4	530	100-1,500
X-5a	115	50-300
X-5b	160	50-800
X-6a	380	100-1,200
X-6b	415	100-1,200
X-7a	290	50-600
X-7b	80	10-200
X-8	550	100-750
X-9a	725	100-1,200
X-9b	300	100-600
X-9c	850	100-1,000
X-10	400	200-600
X-12	1,130	100-1,500